

## REMARKS

This is in response to a non-final Office Action mailed March 25, 2004. Applicants respectfully traverse and request reconsideration.

### Claim Amendments

Applicants respectfully submit, for the Examiner's consideration, amended claims 1, 7 and 13. Claims 1, 7 and 13 have been amended to recite limitations including generating a scramble control signal, such as scramble control signal 52 illustrated in FIGS. 1 and 2 and discussed in, among other places, page 5, lines 9-24. Moreover, the claims have been amended to further include providing the scramble control to the video scrambler and/or the audio scrambler. See again FIGS. 1-2 and page 5, lines 9-24, among other passages.

Therefore, it is submitted the present amendment is proper as no new subject matter is introduced. As such, entrance of the present amendment and examination of claims 1-22 is respectfully requested.

### Rejection of claims under 35 U.S.C. §103(a)

Claims 1-2, 4-8, 10-14 and 17-20 currently stand rejected under 35 U.S.C. §103(a) as being unpatentable in view of U.S. Patent No. 6,115,057 ("Kwoh") in view of U.S. Patent No. 6,216,228 ("Chapman") in view of U.S. Patent No. 6,529,526 ("Schneidewend"). Claims 3, 9, 15-16 and 21-22 stand rejected as being unpatentable over Kwoh in view of Chapman in view of Schneidewend in view of U.S. Patent No. 4,605,961.

Applicants respectfully submit the present rejection is improper as the above-noted references fail to teach or suggest all of the claimed limitations of claims 1-22, in view of amended claims 1, 7 and 13. As discussed above, none of the references, either individually or in combination thereof, teach or suggest all of the recited limitations.

As understood, Kwoh is directed to, *inter alia*, a device for blocking the display of a program video segment by replacing the blocked video segment with embedded text in the

incoming stream, wherein the text describes the blocked scene if it is determined that the extracted rating data indicates that the program video segment has an unacceptable rating level. The text information is embedded within the incoming video signal, col. 9, lines 5-15. Hence, Kwoh discloses the device for substituting the display of the extracted text data representative of the content of the program video segment or the blocked program video segment. This device maintains control of rating levels while providing a means for the viewer to comprehend basic plot events of a censored program during the entire length of the program. Kwoh requires a video signal that includes both video and corresponding descriptive text data. This method relies on a substitution of text data for blocked video data, and therefore does not require scrambling of video data. In fact, due to the embedded nature of video and text data, scrambling would result in a loss of text data and therefore render useless the substitution of text for video data in Kwoh's method.

As understood, Chapman is directed to, *inter alia*, controlling video or image presentation with respect to encoded content classification information provided via an invisible digital watermark. Chapman teaches, *inter alia*, embedding the digital watermark in a display signal such that the display signal is received and the input video data and ratings are compared with a stored rating system. Chapman teaches utilizing an invisible watermark code embedded within the display signal wherein the watermark is embedded prior to the transmission of the signal to a receiving device.

As understood, Schneidewend is directed to, *inter alia*, coordinating programming information from multiple sources to generate a central programming database. Schneidewend further includes rating information as information that is processed so that a user may view the compiled data in a grid-based display. Schneidewend teaches that an interface may be provided from sharing information system having v-chip or other parental control capabilities, but this teaching is limited to sharing database information and access.

None of the above references teach or suggest, *inter alia*, generating a scramble control signal and providing the scramble control signal to at least one of a video scrambler and an audio scrambler. While all Kwoh and Chapman provide for abstention of viewing unqualified content, neither system generates the scramble control signal. Kwoh does not generate a scramble control signal because Kwoh does not scramble the output signal, but rather performs signal substitution.

Chapman does not generate the scramble control signal the system disclosed setting "video overlay buffer to 'blank out screen' and set 'display' flag on." See FIG. 5 step 64. Moreover, the Examiner-cited passage of col. 4, lines 40-55 merely states that one alternative embodiment is to scramble data sent to an output display to generate an unintelligible picture. This terse description does not specifically and explicitly teach the claimed limitation of generating a scramble control signal.

It is further submitted that Schneidewend does not generate a scramble control signal because, among other reasons, Schneidewend is directed to providing the specific parental control information from multiple sourced data manipulation. Generating a scramble control signal is beyond the teachings of Schneidewend.

Therefore, regarding claims 1, 7 and 13, it is submitted that these claims, as amended, contain limitations not taught or suggested by Kwoh, Chapman and/or Schneidewend, either individually or in combination thereof. Reconsideration and withdrawal of the present rejection is respectfully requested.

Regarding claims 2, 4-6, 8, 10-12, , 14, 17-20, Applicants respectfully resubmit the above position regarding claims 1, 7 and 13, respectively. It is further submitted that these claims contain further limitations that are neither taught nor suggested by the combination of prior art references. It is submitted that these claims contain further patentable subject matter and are allowable not merely as being dependent upon the allowable independent base claim, claims 1, 7 and 13, respectively. As such, Applicants respectfully request reconsideration and withdrawal and the passage of these claims to issuance.

Regarding claims 3, 9, 15-16 and 21-22, Applicants respectfully resubmit the above position regarding claims 1, 7 and 13, respectively. It is further submitted that these claims contain further limitations that are neither taught nor suggested by the combination of prior art references.

Frederiksen is directed to time-warp scrambling in a video transmission system. This system does not use a scramble control signal and does not provide the scramble control signal to a video scrambler and/or an audio scrambler. Rather, Frederiksen uses a random number generator 28 to create the scrambled signals from the video scrambler 27 and audio scrambler 32, which is inconsistent with the claimed scramble control signal.

It is submitted that these claims contain further patentable subject matter and are allowable not merely as being dependent upon the allowable independent base claim, claims 1, 7 and 13, respectively. As such, Applicants respectfully request reconsideration and withdrawal and the passage of these claims to issuance.

Accordingly, Applicants respectfully submit that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

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Respectfully submitted,

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